

DEVELOPMENT MANAGEMENT COMMITTEE – 17 JUNE 2020

Application Number	3/19/0226/FUL
Proposal	Demolition of dwelling at No. 125 Dunmow Road and relocation and widening of the existing crossover to create a new access road to the land to the rear consisting of the rear section of gardens of 123-127 Dunmow Road to allow the construction of 9 new houses on the land to the rear and a relocated replacement dwelling for No. 125 Dunmow Road.
Location	123 – 127 Dunmow Road
Parish	Bishop's Stortford Town Council
Ward	Bishop's Stortford – All Saints

Date of Registration of Application	05/02/2019
Target Determination Date	18/07/2020
Reason for Committee Report	Major Application
Case Officer	Fiona Dunning

RECOMMENDATION

That planning permission be **GRANTED**, subject to conditions set out at the end of this report.

1.0 Summary of Proposal and Main Issues

- 1.1 The application proposes a terrace of 9 two and three storey dwellings, which provide 6 x 3 bedrooms and 3 x 2 bedrooms and a detached 4 bedroom dwelling to replace the existing dwelling on site. The original plans were for 10 terrace dwellings and the replacement dwelling was to be subject to a separate application.
- 1.2 The application site includes the rear gardens of Nos. 123 and 127 Dunmow Road and all of 125 Dunmow Road.

- 1.3 The site is located within the settlement of Bishop's Stortford where development is acceptable in principle. Policy DPS2 of the District Plan sets out a hierarchy to deliver sustainable development to meet projected housing need for the district and sites the main settlements within urban are included. Policies DPS3 and BISH1 identify windfall allowances as part of the growth strategy.
- 1.4 The site is in a sustainable location being approximately 1 mile walk from Bishop's Stortford Railway Station and the town centre. The site is also close to employment and recreational activities. Therefore the principle of redeveloping this site for residential use is acceptable, subject to other District Plan policy requirements.
- 1.5 The main issues for consideration are design and layout, housing mix, highways and parking, noise impact, neighbour impact and flood risk/sustainable drainage.

2.0 Site Description

- 2.1 The site is currently occupied by a two storey detached dwelling at No. 125 Dunmow Road and includes part of the rear gardens of Nos. 123 and 127 Dunmow Road. The development site and adjoining land have a number of trees up to 25 metres in height.
- 2.2 No. 123 is a detached dwelling and No. 127 is a mixed use dwelling and therapy business with 5 car parking spaces in front of the building for occupants and patients. Further to the southeast and along the west side of Dunmow Road is a mix of detached, semi-detached and terrace dwellings generally with car parking in the front setback and having 2 storeys with some dwellings having rear and side dormers to create a 3rd storey. The materials of buildings in the locality are brick and render.
- 2.3 To the north of the site is employment land, occupied by a car dealership and an electricity substation. To the east along the rear boundary of the site is an access road to service a number of large warehouse buildings. The road is separated by a 1 metre high hedge on the employment land. The northern and eastern

boundary is where many of the existing trees on the development site are located.

- 2.4 Dunmow Road is a busy road running between Bishop's Stortford to the west and towards the M11 to the east. Both sides of Dunmow Road have a footpath.

3.0 Planning History

- 3.1 There is no recent relevant planning history.

4.0 Main Policy Issues

- 4.1 These relate to the relevant policies in the East Herts District Plan, the National Planning Policy Framework (NPPF) and the Bishops Stortford All Saints Central South and part of Thorley Neighbourhood Plan.

Main Issue	DP policy	Neighbourhood Plan	NPPF
Principle	INT1, DPS2, DPS3, BISH1	HPD1	Chapter 5
Design, layout and scale	DES3, DES4, DES5	HDP2, HDP3	Chapter 12
Housing	HOU1, HOU2, HOU3	HDP1, HDP3, HDP4	Chapter 5
Highways and parking provision	TRA1, TRA2, TRA3	TP1, TP3, TP7, TP8	Chapter 9
Noise impacts	EQ2		Chapter 15
Neighbour impact	DES3		Chapter 12
Flood risk and drainage	WAT1, WAT5	GIP7	Chapter 14

Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

5.0 Summary of Consultee Responses

- 5.1 HCC Highway Authority originally raised concerns with the access but the amended plans with a revised site access layout and tracking, for refuse or fire tender vehicles, appears satisfactory. Conditions and informatives are recommended.
- 5.2 Lead Local Flood Authority raises concerns about the surface water drainage. In particular the status of a surface water sewer network downstream as it is not showing as an asset of Thames Water or as a culverted watercourse and therefore is viewed as a private asset. The LLFA require details of the private asset and whether it is suitable to be used for the additional flow from the development and its future maintenance and repair and the potential flood risk both on and off site if the asset were to fail. In addition, the LLFA highlighted the potential variation in groundwater levels on site, which needed a longer period of monitoring and the predicted Risk of Flood based on the Environment Agency's Flood maps. These matters need to be resolved prior to commencement of the development and conditions are recommended.
- 5.3 Thames Water advises that if the developer follows the sequential approach to surface water disposal there is no objection. Any significant work near the sewers needs to minimise risk of damage in any way. No objection regarding the waste water network and waste water process infrastructure capacity.
- 5.4 EHDC Landscape Advisor provides comments on the importance of the north-eastern and north-western boundary trees. The advisor raises some concerns about clearing the site of existing trees, the ability to plant trees adjacent to the access road.
- 5.5 HCC Development Services advise that due to the floor space being no more than 1000sqm and the number of residential is 10 or less no planning obligations are sought.

- 5.6 EHDC Environmental Health Advisor raises no objections and requests a condition addressing the recommendations set out in the Noise Assessment Report. Other recommended conditions and informatives relating to construction management and potential contamination.
- 5.7 EHDC Waste Services are satisfied that the site is accessible for a refuse collection vehicle with a length of 12.1m to be able to manoeuvre on site.
- 5.8 Herts Crime Prevention Design Advisor advises that the plans do not address any potential issues around crime. The replacement dwelling at 125 Dunmow Road will have its rear garden in a vulnerable location as the access road is adjacent. If the applicant was to seek Secured by Design accreditation that would address concerns.
- 5.9 UK Power Networks advises that there is a substation within 6m of the development and therefore UK Power Networks is notifiable under the Party Wall Act and the applicant would be responsible for any costs associated with any mitigation measure required. The company's guidelines state that a dwelling should be a minimum of 10 metres from an outdoor transformer.

(Note: EHDC, East Herts District Council; HCC, Hertfordshire County Council)

6.0 Town Council Representations

- 6.1 Bishop's Stortford Town Council objects to the application due to unsafe and dangerous access and exiting onto Dunmow Road. They consider that the development is also out of keeping with the streetscene and is overdevelopment of the area.

7.0 Summary of Other Representations

7.1 22 letters of objection were received from neighbours in response to the two rounds of consultation. The main objections are summarised below:

- Amendments are minimal
- 10 houses is excessive on a small backland plot and appears cramped
- The number of units should be reduced
- 3 storey terraced houses would have a scale and bulk harmful to character and appearance of the local area
- Loss of privacy, particularly to 129 Dunmow Road
- 3 storey dwellings with a flat roof would be out of character in this market town
- Small north-facing gardens will not provide suitable outdoor space
- On-site playspace is not safe and nearest park is 1 mile away
- Insufficient parking will add congestion
- Infilling on main roads should not be allowed
- Refuse collection would be difficult
- Increase in road traffic and contributions should be considered for Haymeads Lane junction as it operates near capacity
- Traffic modelling hasn't considered Haymeads Lane
- The new access onto Dunmow Road and the number of vehicles using it will be dangerous
- There will be a cumulative impact on traffic Dunmow Road with other developments
- New access points should not be permitted onto Dunmow Road which is extremely busy at peak times
- Concern about pedestrian safety with the pavements being narrow and busy with parents, children and workers at the two industrial sites
- Access should be from the industrial estate
- Cars turning right into the site will create more traffic
- Dunmow Road is part of a rat run between Pig Lane and the M11 and cannot cope with extra traffic
- Construction traffic will cause disruption

- Transport Statement appears to underestimate peak hour vehicle use
- Loss of some large mature trees and more details on landscaping and surface finishes should be required
- Water pressure is extremely poor and an additional 10 homes may impact it further
- Concern over design of drainage to Dunmow Road sewerage system
- Noise and air pollution impacting on children
- No Section 106 contributions towards infrastructure

8.0 Consideration of Issues

Principle

- 8.1 The site is located within the settlement of Bishop's Stortford where development is acceptable in principle. Policy DPS2 of the District Plan sets out a hierarchy to deliver sustainable development to meet projected housing need for the district and sites such within urban areas are included. Both Policy DPS3 and BISH1 identify windfall allowances, which is also in accordance with Chapter 5 of the NPPF.
- 8.2 The site is in a sustainable location being approximately 1 mile walk from Bishop's Stortford Railway Station and the town centre. The site is also close to employment and recreational activities. Therefore the principle of the redevelopment of this site for residential is acceptable.

Design, layout and scale

- 8.3 Policy DES4 of the District Plan and Policy HPD2 of the Bishop's Stortford Neighbourhood Plan require new developments to be of a high standard of design that complements the surrounding area. This is consistent with the relevant paragraphs in the NPPF. Policy DES3 requires proposals to not result in a net loss of landscape features and where losses are unavoidable then compensatory planting be sought. Policy DES5 relates to designing out crime.

- 8.4 The plans were amended after the first round of consultation and concern about the character of the flat roof design and the number of terraced dwellings as well as the replacement dwelling not being part of the proposal. The amended plans removed one of the terraced dwellings, provided details of the replacement dwelling and altered the appearance of the development so that it clearly complemented the character of the area with a modern interpretation of the two storey brick and render dwellings with rooms in the pitched roof space.
- 8.5 The proposed terrace dwellings also provide a modern form of bay windows. The three dwellings that have two bedrooms have a single bay window at first floor and the six dwellings with three bedrooms have a double bay window above the ground floor. The replacement dwelling is two storeys with a room in the roof and provides bay windows as a design feature.
- 8.6 The materials proposed include brick at ground floor level and render above, which is consistent with the materials of the adjoining and nearby dwellings. All of the rooms meet the National space standards and due to the orientation of the site and the established trees at the rear of the site, each terrace dwelling has a family room with a north-east orientation at ground floor adjoining the garden and a south-west facing reception room on the first floor. This will ensure that the occupants have living areas that will receive natural light throughout the day. The depth of the proposed terrace dwellings is approximately 9 metres.
- 8.7 The overall height of the proposed terrace dwellings range from 9.38m to 10m, with the eaves heights at the front being between 4.63m to 5.6m. This is higher than some of the nearby dwellings which are between 8.2m and 8.6m with the eaves being 5.1m and 5.5m respectively. The difference in height compared with the nearby dwellings does not raise any issues as the proposed terrace is setback from the street and therefore will appear to have a similar height to the nearby dwellings.

- 8.8 The access road is 4.8m wide with a 1.7m wide footpath on the south-western side. On the other side of the access road there is a width of approximately 1.7m for landscaping adjoining No. 123 Dunmow Road. A 1.8m high timber fence is proposed around the perimeter of the site, with a higher fence required adjacent to the car sales business to the north where jet washing is carried out.
- 8.9 There are a number of trees and shrubs located on site and adjoining land. None of these are protected by a tree preservation order. A tree survey and Arboricultural Planning Report has been submitted as part of the application. None of the existing trees on site have been identified as high quality with most being low quality with a limited life. Approximately twelve trees are dead or in a very poor state.
- 8.10 The tallest trees (25m) to be felled to accommodate the development are a Category C Willow and a Category B Eucalyptus. The remaining trees and shrubs to be felled are between 2 and 20 metres and are either Category C or dead/in very poor state. Whilst there are a high number of trees to be removed, replacement planting is proposed to be with native trees around the perimeter of the site, which will benefit the future occupants as well as the adjoining neighbours. This is consistent with Policy DES3. Conditions are recommended can to protect the retained trees during construction and protect the existing and the replacement trees.
- 8.11 The layout of the dwellings with the communal shared space in front of the ground floor kitchens and first floor living area will provide natural surveillance and encourage a sense of community for the occupants of the dwellings.
- 8.12 The comments of the Crime Prevention Design Adviser in relation to the rear garden of the replacement dwelling are noted. Whilst the details have not been provided as part of the application, Chapter 10 of the Secured by Design Homes 2019 guide provide a range of measures that could be undertaken to make the rear garden less vulnerable to crime. A condition is recommended can to specifically address this issue.

- 8.13 Overall, it is considered that the design of the terrace building and the detached dwelling is of high quality and has optimised the amount of development on the site whilst complementing the mix of character of the locality. A recommended condition would ensure the use of good quality materials for the buildings. The provision of landscaping on site supplementing the retained trees and shrubs will assist in the development being sympathetic to the surrounding area.
- 8.14 Many of the objections that related to the design and layout were to the original submitted plans but some of these objections also referred to the number of dwellings and a terrace being out of character. The site description highlighted that the existing area has a mix of dwellings, including terraced dwellings, which are located opposite the site and therefore the proposal is not considered to be out of character with the locality. In regard to the density of the scheme, 10 dwellings on the site equate to 42 dwellings per hectare (dph), which is considered to be a suitable density for an urban area. The density also sits between the lower density of the detached and semi-detached dwellings on the north-eastern side of Dunmow Road, which equate to 15dph and the higher density of the terraced and semi-detached dwellings opposite the site, which is 63dph.
- 8.15 Based on the above assessment, the layout and design is considered to be acceptable in its context attracting proposal positive weight.

Housing

- 8.16 The proposed development does not meet the threshold for affordable housing as set out in paragraph 63 of the NPPF. The proposed mix of housing is 3 two bed dwellings, 6 three bed dwellings and a four bed dwelling. Each of the terraced dwellings has private open space and two living areas with different orientation, which provides good light and outlook. The mix is

considered to be satisfactory given the design and the site constraints.

- 8.17 The site is in an urban location that supports higher densities with accessible services and facilities.
- 8.18 The proposal to provide good quality housing with private and communal areas carries positive weight.

Highways and Parking Provision

- 8.19 The District Plan parking requirement is 2 spaces for two bedrooms, 2.5 spaces for three bedroom and 3 spaces for 4 bedroom units, a total requirement of 24 spaces. The site lies within accessibility zone 4 reducing the requirement by 25% to 18 spaces. The proposed parking provision is 18 spaces in compliance with the adopted parking standard.
- 8.20 Services and facilities are within walking distance and therefore may encourage residents to undertake sustainable journeys rather than using a private vehicle. There is a need to provide secure cycle storage, which each dwelling could provide either in front of the dwelling or in the rear garden or patio area. It is not considered necessary to condition the requirement for cycle storage.
- 8.21 The existing crossover is to be replaced with a widened crossover with visibility splays, which will include low level fencing. This will assist in safe ingress and egress. Many of the objections received from residents related to existing traffic issues on Dunmow Road and Haymeads Lane. These matters cannot be addressed by a planning application for nine new dwellings. The Highway Authority is required to assess an application based on highway safety and has advised that with the widened and relocated crossover, the proposal meets highway safety matters.
- 8.22 The Highway Authority has requested a number of conditions, including a Construction Traffic Management Plan, which will assist in controlling construction traffic using main roads and avoiding

peak hours. This is proposed to be incorporated in one condition with the Construction Environmental Management Plan.

- 8.23 The highway and impact of the development is regarded as neutral.

Noise Impacts

- 8.24 There are three main noise sources surrounding the development site. This includes traffic on Dunmow Road, the electricity substation and car sales to the north and the industrial development at the rear of the site. A noise survey was undertaken in the garden of No. 125 Dunmow Road on the northern side and at the rear. The Noise Assessment made recommendations on external boundary treatments and glazing of windows. It also identified aircraft noise and made recommendations on the roof materials. The Environmental Health Officer is satisfied with the Noise Assessment undertaken and a number of conditions are recommended.
- 8.25 Subject to the proposed conditions, the proposal is not considered to be negatively impacted by noise and the impact is therefore regarded as neutral.

Neighbour impact

- 8.26 The loss of some of the existing trees on site and the construction of a terrace of dwellings will change the appearance of the site, however this is not considered to be significant in the long-term with some trees retained and supplemented with replacement planting along the boundaries of the site. There are three dwellings closest to the proposed terrace at the rear of the site. The development site occupies part of the rear gardens of two of these dwellings, which means that the terraced dwellings directly face the rear windows and gardens of these dwellings.
- 8.27 The distance between habitable room windows of the closest terraced dwelling window is 30m to the rear of 123 Dunmow Road, 33m to the rear of 127 and 36m to the rear of 129 Dunmow Road. These distances are considered acceptable in an urban setting.

- 8.28 The outlook from the rear windows of the adjoining dwellings will also change from a rear garden with some outbuildings to a row of terraced dwellings. Due to the separation distances, the tree retention, the proposed landscaping and the design of the dwellings is not considered to create any significant impacts on outlook of neighbours.
- 8.29 The proposed detached dwelling towards the front of the site will reinforce the front building line. The proposed dwelling is close to No. 127 Dunmow Road, which is setback from the side boundary by 2.2m and the proposed dwelling has a 1.2m setback from this boundary. This setback is not considered to create any significant impacts on No. 127 as this side wall does not have windows at first floor and the ground floor does not have any habitable room windows as this is where two treatment rooms are shown. The separation distance to No. 123 and the proposed dwelling is approximately 10 metres.
- 8.30 The access road could potentially impact on the occupants of No. 123 Dunmow Road but there is a landscape strip and a proposed 1.8m high timber fence in this location.

Flood Risk and sustainable drainage

- 8.31 The Flood Risk Assessment submitted with the application addresses on-site drainage and potential flooding. The majority of the site is in Flood Zone 1, but there is an area in the north-eastern part of the site that falls within Flood Zone 2 that is subject to flood risk. The Environment Agency's Standing Advice indicates that dwellings are a compatible use in Flood Zone 2, subject to surface water management, finished floor levels and access and evacuation measures. The Lead Local Flood Authority has recommended pre-commencement conditions, which the applicant has agreed to.
- 8.32 Part of the pre-commencement condition is for groundwater monitoring to be undertaken for a minimum of 6 months (excluding

summer) at the location of the flood storage compensation area is proposed.

9.0 Conclusion – the planning balance

- 9.1 The proposal will provide 9 new family homes and replace the existing dwelling on a site in a sustainable location with good access to services and facilities. The development has been designed with the site constraints being taken into consideration and will provide a good standard of living accommodation for future occupants. The delivery of quality housing is regarded as a positive benefit of the proposal and carries significant positive weight.
- 9.2 The design and layout of the development is considered to be of good quality in accordance with the requirements of Policy DES4 and this carries positive weight.
- 9.3 The density of the development is considered to be consistent with the context of the site and surrounding area and the constraints of the site have been given satisfactory consideration.
- 9.4 The proposal does not result in significant detrimental impacts on adjoining and nearby neighbours and these impacts are regarded as neutral.
- 9.5 The Highway Authority is satisfied that the access to the site provides for pedestrian and vehicular safety and the on-site parking meets the adopted standard. Subject to conditions, the highway impact of the development is regarded as neutral.
- 9.6 Part of the site lies in Flood Zone 2 and the Lead Local Flood Authority has requested a pre-commencement condition, which the applicant has agreed to. Subject to this and other conditions proposed, the flood risks associated with the proposal are regarded as being neutral.
- 9.7 The loss of trees from the site is regrettable and this carries some negative weight. However, but this impact is not significant. The

trees to be removed are not protected and the retained trees will be protected during construction and will be supplemented with new trees to be planted and managed by proposed conditions. The negative weight assigned is therefore limited.

RECOMMENDATION

That planning permission be **GRANTED**, subject to the conditions set out below:

Conditions

1. Three year time limit
2. Approved plans
3. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

A full detailed drainage design and surface water drainage assessment should include:

1. Permission from all downstream landowners where any or part of the private asset is on their land; if permission is unable to be sought, evidence of an alternative feasible surface water discharge mechanism will need to be provided.
2. Confirmation of the management and maintenance of the private asset, which the development site proposes to discharge into.

3. Results of groundwater monitoring for a minimum of 6 months during autumn, winter and spring at the location where the flood storage compensation is to be provided.
4. Assessment of the predicted surface water flooding on site, including confirmation of the surface water storage volume to be provided, a scheme for how this is going to be managed on site and how it will be discharged from the site. This should include all aspects of the scheme's feasibility, including any groundwater interactions and how this will be mitigated.
5. A detailed surface water drainage strategy. The drainage strategy should include all updated calculations/modelling of all SuDS features, with attenuation to be provided to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% for climate change event.
6. Surface water discharge from the site should be at the 1 in 1 year Greenfield run-off rate; detailed technical justification will be needed if a different rate is to be used
7. Full detailed drainage plan including location of all the drainage features, the flood storage compensation and the final discharge point.
8. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
9. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as lined permeable paving, reducing the need for underground tanks.
10. Provision of half drain down times within 24 hours.
11. Silt traps for protection of any residual tanked elements.

Reason: To prevent the increased risk of flooding, both on and off site and to reduce the risk of flooding to the proposed development and future occupants.

4. Upon completion of the drainage works for the site in accordance with the timing / phasing arrangements, the following must be submitted to and approved in writing by the Local Planning Authority:
 1. Provision of a verification report (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme). The verification report shall include photographs of excavations and soil profiles/horizons, installation of any surface water structure (during construction and final make up) and the control mechanism.
 2. Provision of a complete set of as built drawings for site drainage.
 3. A management and maintenance plan for the SuDS features and drainage network.
 4. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

5. Prior to the commencement of the development, a detailed Construction Management Plan (CMP), including management of construction traffic, shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following:
 - a) The construction programme and phasing
 - b) Hours of construction activities and deliveries to avoid school pickup/drop off times,
 - c) Details of any highway works necessary to enable construction to take place,
 - d) On-site parking and loading arrangements for deliveries and contractors, including areas for car parking, amenities and storage of materials,
 - e) Details of hoarding,
 - f) Management of traffic to reduce congestion, including details of construction vehicle numbers, type and routing,

- g) Control of dust and dirt on the public highway,
 - h) Details of consultation and complaint management with local businesses and neighbours,
 - i) Waste management proposals,
 - j) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour,
 - k) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures,
 - l) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
- The development shall be carried out in accordance with the details approved.

Reason: To safeguard the amenity of residents of nearby properties, in accordance with policy EQ2 of the adopted East Herts District Plan 2018 and to ensure highway safety.

6. Prior to commencement of the development hereby permitted, details of all materials to be used for hard surfaced areas within the site, including roads, driveways and car parking area, with any SuDS requirement for permeability noted, shall be submitted to and approved in writing by the planning authority. The development shall be carried out in accordance with the details approved.

Reason: To ensure that the internal roads and other layouts are built to required standards.

7. Prior to commencement of the development hereby permitted, the tree protection measures set out in the Arboricultural Planning Report at Appendix B3, Plan Numbers TCTC-17421-PL-03 and TCTC-17421-PL-04 shall be carried out on site. For the avoidance of doubt, this includes the Arboricultural Method Statement and protective fencing specification set out on the TCTC-17421-PL-04. Tree protection measures shall be in place for the duration of the works on site and retained trees shall be maintained for at least five years following contractual practical completion of the approved development. In the event that retained trees become damaged or

otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, the tree shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

Reason: To avoid damage to health of retained trees, in accordance with Policy DES3 of the East Herts District Plan 2018 and the National Planning Policy Framework.

8. Prior to above ground works commencing, a scheme for the protection of the dwellings from noise from adjacent industrial and commercial units shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall follow the recommendations identified in the Cole Jarman Planning Noise Assessment Report (as amended) Ref 18/0648/R1 dated April 2019 and associated documentation. No dwellings shall be occupied until the scheme providing protection for those dwellings has been implemented in accordance with the approved details and has been demonstrated to achieve the required noise levels to the satisfaction of the Local Planning Authority. The approved scheme shall be retained in accordance with those details thereafter.

Reason: In order to ensure an adequate level of amenity for residents of the new dwellings in accordance with policy EQ2 of the adopted East Herts District Plan 2018.

9. Prior to the commencement of above ground construction full details of both soft and hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
 - (a) planting plans
 - (b) schedules of plants, species, size and densities
 - (c) timetable for implementation

- (d) measures to protect the soft landscaping areas from indiscriminate vehicle parking on site
 - (e) any permeable hardstanding areas required for SuDS
 - (f) material to be used for hardstanding areas.
- Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the provision of landscaping in accordance with Policy DES3 of the East Herts District Plan 2018.

10. All hard and soft landscape works shall be carried out in accordance with the approved details. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved designs, in accordance with Policies DES3 and DES4 of the East Herts District Plan 2018.

11. Prior to the above ground works commencing on the detached replacement dwelling, details of the fencing of the rear garden and access to the bin storage, consistent with the principles of Chapter 10 of Secured by Design Homes 2019, shall be submitted to and approved in writing by the Local Planning Authority. The details approved shall be implemented prior to the first occupation of this dwelling.

Reason: To help secure this vulnerable area to protect the future occupants of this dwelling from crime.

12. Prior to first occupation of the development hereby permitted, a visibility splay measuring 2.4m x 43m shall be provided to each side of the access where it meets the highway and such splays shall

thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

13. Prior to the first occupation the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan drawing number S3318/013B Rev B. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

14. Prior to the first occupation, vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access shown on drawing number S3318/013B Rev B only. Any other access(es) or egresses shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

Reason: In the interests of highway safety and amenity.

15. Prior to first occupation of the development hereby approved, the refuse and recycling bin storage areas shall be provided on site in accordance with drawing number S3318/01F. The facilities shall thereafter be maintained.

Reason: In the interests of amenity and good design in accordance with Policy DES4 of the East Herts District Plan 2018.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending

Order, the areas shown for parking on the approved plan(s) shall be retained for such use.

Reason: In the interests of highway safety in accordance with Policy TRA3 of the East Herts District Plan 2018.

17. In connection with all site demolition, site preparation and construction works, no plant or machinery shall be operated on the premises before 0730hrs on Monday to Saturday, nor after 1830hrs on weekdays and 1300hrs on Saturdays, nor at any time on Sundays or bank holidays.

Reason: To safeguard the amenity of residents of nearby properties, in accordance with policies EQ2 of the East Herts District Plan 2018.

18. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order, 2015, or any amending Order, the enlargement, improvement or other alteration of any dwellinghouse as described in Schedule 2, Part 1, Class A, Class B or Class E of the Order shall not be undertaken without the prior written permission of the Local Planning Authority.

Reason: To ensure the Local Planning Authority retains control over any future development as specified in the condition in the interests of amenity, biodiversity heritage having regard to Policies DES4, HA1 and NE3 of the East Herts District Plan 2018.

Informatives

1. Other legislation (OL01)
2. Street naming and numbering (19SN)
3. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works

commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highwaysdevelopment-management.aspx>

4. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-developmentmanagement.aspx>

5. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-developmentmanagement.aspx>

6. Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction

and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-anddeveloper-information/development-management/highways-developmentmanagement.aspx>

7. The applicant is advised that any unsuspected contamination that becomes evident during the development of the site should be brought to the attention of the Local Planning Authority and appropriate mitigation measures agreed.

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan and any relevant material considerations. The balance of the considerations is that permission should be granted.

KEY DATA**Residential Development**

Residential density	42 dwellings/Ha	
	Bed spaces	Number of units
Number of existing units demolished	3	1
Number of new housing units	1	
	2	
	3	
Number of new house units	1	
	2	3
	3	6
	4+	1
Total		9

Residential Vehicle Parking Provision

Parking Zone		
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.5	
2	2	6
3	2.5	15
4	3	3
Total required		24
Accessibility reduction	75- 100%	25% reduction
Resulting requirement		18
Proposed provision		18